

BOARD OF ZONING APPEALS DIVISION I

September 5, 2023

Case Number: 2023-DV1-037
Property Address: 3333 Ruckle Street (approximate address)
Location: Center Township, Council District #9
Petitioner: Mithun Sinha & Jayeeta Ghose
Current Zoning: D-5
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage with a three-foot rear yard setback (five-foot rear yard setback required).
Current Land Use: Residential
Staff Recommendations: Staff recommends approval of this request
Recommended Motion: Motion to approve petition 2023-DV1-037
Staff Reviewer: Noah Stern, Associate Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval of this request.

PETITION OVERVIEW

- This request would provide for a detached garage with a 3-foot rear yard setback (5-foot rear yard setback required).
- Detached garages that are accessed via alley are a common development pattern in the immediate surrounding area. Additionally, with the garage having been built prior to the current owner, any existing conditions that do not meet compliance with the Ordinance are not the fault of the current owner and, thus, represent a practical difficulty.
- Therefore, Staff would not be opposed to the reduced rear yard setbacks to accommodate the current footprint of the existing garage.

GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Residential		
Comprehensive Plan			
Surrounding Context	Zoning	Surrounding Context	
	North:	D-5	North: Single-family residential
	South:	D-5	South: Two-family residential
	East:	D-5	East: Single-family residential
	West:	D-5	West: Single-family residential
Thoroughfare Plan			
Ruckle Street	Local Street Existing ROW: 50 feet Proposed ROW: 48 feet		
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	6/16/2023		
Site Plan (Amended)	N/A if not applicable		
Elevations	N/A if not applicable		
Elevations (Amended)	N/A if not applicable		
Landscape Plan	N/A if not applicable		
Findings of Fact	6/16/2023		
Findings of Fact (Amended)	N/A if not applicable		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Infill Housing Guidelines
- Mapleton-Fall Creek Neighborhood Land Use Plan (2013)

Pattern Book / Land Use Plan

- Please see Neighborhood / Area Specific Plan below

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

Neighborhood / Area Specific Plan

- The Mapleton-Fall Creek Neighborhood Land Use Plan (2013) document seeks to improve the Mapleton-Fall Creek neighborhood and “further its goals of new housing opportunities, recreational options, improved transportation connectivity and promoting business and entrepreneurship.
- The document recommends residential use at a density of 5-8 units per acres for this site.

Infill Housing Guidelines

- The Infill Housing Guidelines (IHG) document is used to promote good practice with regards to form, massing, aesthetics, landscaping, etc. of new infill housing projects for all scales and types.
- The Infill Housing Guidelines document recommends:
 - Locate accessory structures behind primary building
 - Access accessory buildings from alleys
 - Don’t overshadow primary buildings
 - Coordinate the architectural styles and aesthetics of primary and accessory structures
- This proposal is in accordance with these recommendations.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site

ZONING HISTORY

ZONING HISTORY - SITE

N/A

ZONING HISTORY – VICINITY

81-Z-152; 3359 Ruckle Street (north of site), request to rezone 2.14 acres, involving numerous scattered lots, being in the D-5 and D-8 districts, to SU-1 classification, to provide for church use, **approved**.

2005ZON019; 3334 Central Avenue (west of site), rezoning from C-3 Commercial District to allow for 3336-3338 to be used as a family life center for adjacent Raphael Health Center; to allow for 3334 to be used for parking for Raphael Health Center; to allow 3340 to be used for parking for Raphael Health Center. Non-profit community health & services center, **approved**.

2006ZON001; 3401 Central Avenue (north of site), rezoning of 4.7 acres, being in the D-3 district, to the D-8 classification to legally establish, and to provide for additional improvements to an existing multi-family residential development, **approved**.

2014HOV017; 3305 Ruckle Street (south of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling, with 19-foot front setbacks from 33rd Street and Ruckle Street and a parking pad with a 19-foot front setback from 33rd Street (25-foot front setbacks required), **approved**.

2017HOV054; 3335 Central Avenue (west of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for and legally establish primary and accessory residential uses, including a single-family dwelling and a detached garage (not permitted), with a five-foot rear transitional setback (eight-foot rear transitional yard required), **approved**.

2017UV2026; 510 Fairfield Avenue (north of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility, with a 95-foot tall monopole tower (not permitted), with a five-foot lightning rod, without landscaping; (landscaping required), and with barbed wire (not permitted), **denied**.

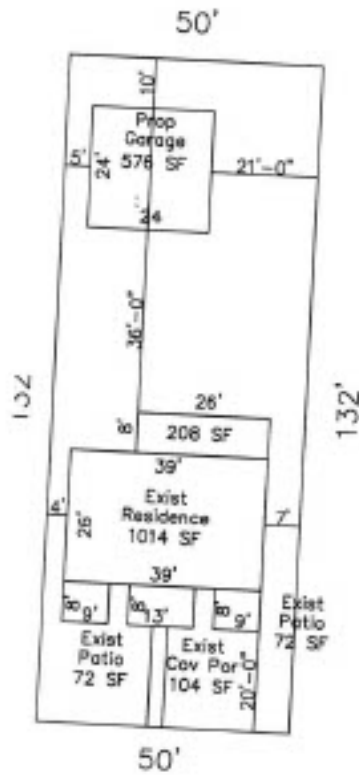
2018ZON123; 3345 Ruckle Street (north of site), Rezoning of 0.15 acre from the SU-1 district to the D-5 classification, **approved**.

2021DV1041; 615 E 33rd Street (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a driveway to 33rd Street (alley access required), **approved**.



Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBITS




16P16-0324
RECEIVED

NOV 19 2016

Subject to all Local and State
 Building Codes and Zoning
 Ordinances

3333 Ruckle St

SITE PLAN
 SCALE: 1"=30' 

Trevor Phillips
 3333 Ruckle St
 Indianapolis, In 46205



Department of Metropolitan Development
Division of Planning
Current Planning

To,
The Hearing Officer,
Metropolitan Board of Zoning Appeals
Marion County, Indiana

June 5th, 2023

Ref: Variance petition related to Case# VIO23- 002899

Dear Sir/Madam,

I am a resident of 3333 Ruckle St, Indianapolis 46205. I am a scientist and serve as Assistant Professor at the Department of Surgery, Indiana University School of Medicine with my research focusing on surgical implant complications.

I recently received a notice from the zoning inspector Steven Hardiman related to zoning violation associated with my garage (notice letter attached). Sir, I had bought the property in April 2021, the garage existed at that time. It was built by the previous owner. While buying the property no flags were raised by the surveyor or the Title company. Hence, without my fault, I am going through this process with substantial time and fiscal expense.

My garage follows a similar trajectory of garages present in the alley. I have provided photographs of my neighbor's garage. The existing garage doesn't pose any obstruction or harm to my neighbors. Considering these facts, I would request to grant variance so that I can retain the garage.

Thank you

Mithun Sinha, PhD

3333 Ruckle St, Indianapolis

46205



MAPLETON-FALL CREEK
NEIGHBORHOOD ASSOCIATION

P.O. BOX 20837 • INDIANAPOLIS, IN • 46220 • INFO@MFCNA.ORG • WWW.MFCNA.ORG

August 21, 2023

Metropolitan Board of Zoning Appeals
Division I
200 E. Washington Street
Indianapolis, IN 46204

RE: 2023-DV1-037, 3333 Ruckle Street

Dear Noah Stern, Associate Planner:

The board of the Mapleton-Fall Creek Neighborhood Association, which represents the community surrounding the subject parcel, has voted to support the variance of development to allow for the existing garage on the property.

The Association is encouraged by the communication directly from the homeowners Mithun Sinha and Jayeeta Ghose. They were both kind enough to attend our August monthly meeting to share about their garage and answer questions from neighbors. Given the challenges for new homeowners, we are happy to support our neighbors in their effort to reconcile with the city ordinances.

Please accept this letter as our support of the variance request. We recommend this petition be approved.

Sincerely,

Travis Tatlock
President
Mapleton-Fall Creek Neighborhood Association
president@mfcna.org





